



RCE/EPW

PTO/SB/30 (04-05)

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Request for Continued Examination (RCE) Transmittal Address to: Mail Stop RCE Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450	Application Number	10/817,024
	Filing Date	4/2/2004
	First Named Inventor	LIM
	Art Unit	3731
	Examiner Name	REIP
	Attorney Docket Number	PC674.02/4906-018

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: if the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____

ii. ☐ Other _____

b. ☒ Enclosed

i. ☐ Amendment/Reply

ii. ☐ Affidavit(s)/ Declaration(s)

iii. ☒ Information Disclosure Statement (IDS)

iv. ☐ Other _____

2. **Miscellaneous**

a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other _____

3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed. The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to

a. ☒ Deposit Account No. 18-1167. I have enclosed a duplicate copy of this sheet.

i. ☒ RCE fee required under 37 CFR 1.17(e) ii. 11/15/2005 NNGUYEN1 00000079 10817024

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17) 01 FC:1801 790.00 OP

iii. ☐ Other _____

b. ☒ Check in the amount of \$ 790.00 enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED			
Signature		Date	November 10, 2005
Name (Print /Type)	David D. Kalish	Registration No.	42,706

CERTIFICATE OF MAILING OF TRANSMISSION	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.	
Signature	
Name (Print /Type)	Season E. Munck
Date	November 10, 2005

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of
Lim et al.

Serial No.: 10/817,024

Filed: April 2, 2004

For: **Minimally Invasive Expanding Spacer
And Method**

Attorney's Docket No: PC674.02/4906-018

Patent Pending

Examiner: Mr. David O. Reip

Group Art Unit: 3731

Confirmation No.: 2786

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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- ☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 273-8300.

November 10, 2005

Date

Season E. Munck

REQUEST FOR CONTINUED EXAMINATION UNDER 37 C.F.R. 1.114

In response to the Notice of Allowance mailed 23 August 2005, the applicants submit a Request for Continued Examination (RCE) and the enclosed Information Disclosure Statement (Form PTO/SB/08A). In addition, this response includes a check to cover the \$790.00 fee under §1.17(e) for the RCE. While no additional fees should be required, the applicant authorizes the Patent Office to charge any additional fees to Deposit Account No. 18-1167.

Respectfully submitted,

COATS & BENNETT, P.L.L.C.

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Dated: 10 November 2005